

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Ralph H. Johnson**

Docket No.

15436.436.4

Application No.

10/026,055

Filing Date

December 20, 2001

Examiner

Dung T. Nguyen

Customer No.

022913

Group Art Unit

2828Invention: **VERTICAL CAVITY SURFACE EMITTING LASER INCLUDING INDIUM IN THE ACTIVE REGION**

MAY 13 2005



I hereby certify that the following correspondence:

Issue Fee Transmittal Letter (1 pg. in duplicate); PTOL-85B Issue Fee Transmittal (1 pg. in duplicate); Comments on Examiner's Statement of Reasons for Allowance; PTO-2038 Credit Card Form in the amount of \$1,703.00 (1 pg.); postcard; and Certificate of Express Mailing Label No. EV 657 809 940 US*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 13, 2005*(Date)***ERIC L. MASCHOFF***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EV 657 809 940 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

TRANSMITTAL OF PAYMENT OF ISSUE FEE (Large Entity)
(37 C.F.R. 1.311)

Docket No.
15436.436.4

Applicant(s): Ralph H. Johnson

Application No. 10/026,055	Filing Date December 20, 2001	Examiner Dung T. Nguyen	Customer No. 022913	Group Art Unit 2828	Confirmation No. 8713
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Invention: VERTICAL CAVITY SURFACE EMITTING LASER INCLUDING INDIUM IN THE ACTIVE REGION

MAY 13 2005

Mail Stop Issue Fee
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith are the following for the above-identified application.

Issue Fee Transmittal Form PTOL-85

Utility Fee: \$ 1400.00 Design Fee: _____ Plant Fee: _____

Publication Fee: \$ 300.00

A check in the amount of _____ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below.

Charge the amount of _____
 Credit any overpayment.
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

ERIC L. MASCHOFF

Registration No.: 36,596

Dated: May 13, 2005

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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States and Trademark Office (Fax No.) on

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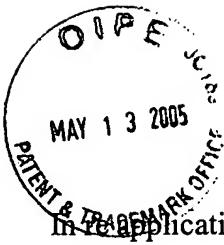
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(Date)

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Typed or Printed Name of Person Mailing Correspondence



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Ralph H. Johnson)
Serial No: 10/026,055) Art Unit
Filed: December 20, 2001) 2828
For: VERTICAL CAVITY SURFACE EMITTING LASER)
INCLUDING INDIUM IN THE ACTIVE REGION)
Examiner: Dung T. Nguyen)

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

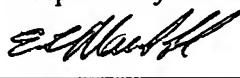
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P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully disagrees with the Examiner's statement of reasons for allowance as set forth in the communications mailed on February 15, 2005. The Applicant concurs with the Examiner's conclusion that the prior art does not suggest or render obvious the claimed invention. However, Applicant submits that it is the claim as a whole, rather than any particular limitation, that makes each of the claims in the above-identified application allowable. No single limitation should be construed as the reason for allowance of a claim because it is each of the elements of the claim that distinguish the claim from the prior art and make it allowable.

Respectfully submitted,

Dated: May 13, 2005

By: 

ERIC L. MASCHOFF
Attorney for Applicant
Registration No. 36,596
Customer No. 022913